S.B. CR.MISC.BAIL APPL.NO.7472/2007.

Afsar
Vs.
State

Date of order : 2/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Anil Kumar for the petitioner.
Shri Harshvardhan Nandvana PP for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner has argued that the offence alleged against the petitioner is under Section 4/8 of the Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration of Export) Act, 1995 which is punishable by the maximum sentence of five years and triable by the court of Magistrate of Ist Class. There is no previous criminal case ever registered against him. Investigation is almost complete. Trial of the case will take long. His further detention is therefore no longer required for any purpose of investigation.

Learned Public Prosecutor has opposed the bail application and has argued that in view of seriousness of allegations against the petitioner, he is not entitled to be enlarged on bail.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioner on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Afsar S/o Bhure Khan shall be released on bail in F.I.R. No.196/2007 P.S. Jurhara, Distt.Bharatpur for offence under Section 4/8 of the Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration of Export) Act, 1995 subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

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